

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CRAIG M. CARPENTER and RAYNALD B. CANTIN

Application 09/932,860

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on October 26, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

The Examiner's Answer mailed August 23, 2005 is lacking the heading "*Evidence relied upon*" listing the prior art of record being relied upon in the rejections. For the required content in an examiner's answer under the new rules, the examiner is directed to the Manual Of Patent Examining Procedure (MPEP) § 1207.02(A) (8th ed., Rev. 3, August 2005) which states in part:

(A) CONTENT REQUIREMENTS FOR EXAMINER'S ANSWER. The examiner's answer is required to include, under appropriate headings, in the order indicated, the following items:

...

(8) *Evidence Relied Upon*. A listing of the evidence relied on (e.g., patents, publications, admitted prior art), and, in the case of nonpatent references, the relevant page or pages.

Correction is required.

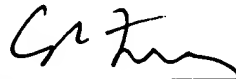
Accordingly, it is

ORDERED that the application is returned to the Examiner

- a) to issue a revised Examiner's Answer containing a section listing the prior art of record being relied upon in the rejection(s) of the appealed claims, and
- b) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



CRAIG FEINBERG
Program and Resource Administrator
(571) 272-9797

CF/vsh

cc: TRASK BRITT
P.O. BOX 2550
SALT LAKE CITY, UT 84110